



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777 7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.co.mo.md.us/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office to obtain current information.

This meeting will be televised live on Channel 6; repeated on 5/17/02 at 8 pm and 5/18/02 at 9 am


Tuesday, May 14, 2002

9:00 **INVOCATION** - Imam Shamsland Nasir, Baitur Rahman Mosque, Silver Spring

9:05 **GENERAL BUSINESS**

- (1) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Action** - Approval of Minutes: April 30 and May 2, 2002 (Edgar)
C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:10 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to establish the FY03 Work Program of the Interagency Public Information Working Group (Lacefield)
- B. **Introduction** - Resolution to establish the FY03 Work Program of the Interagency Training Team (Davidson)
- C. **Introduction** - Resolution to establish the FY03 Work Program of the Interagency Procurement Coordinating Committee (Healy)
- D. **Introduction** - Resolution to support Affordable Healthcare (Nisenoff)
- E. **Introduction** - Special Appropriation to the County Government's FY02 Capital Budget, Department of Technology Services - \$1.4 million for Public Safety Radio System (Source: Current Revenue) (McMillan)
Public Hearing/Action is scheduled for 6/4/02.
- F. **Action** - Rager, Lehman and Houck Contract Renewal for Audit Services for the Fire and Rescue Corporations (Kimball)
MFP Committee recommends approval.
- G. **Action** - Resolution to Grant a Franchise for Telecommunications System in the Public Right-of-Way: KMC Telecom III, LLC (Cogan)
MFP Committee recommends approval with amendments.
- H. **Action** - Resolution to create the Pedestrian Safety Advisory Committee (Ferber)
- I. **Action** - Confirmation of County Executive appointment to the Long Branch Task Force: Mrs. Wanjiru Kamau  (Ferber)

(2) 9:10 **CONSENT CALENDAR** (continued)

- J. **Action** - Confirmation of County Executive appointments to the Community Action Board: Derik Perry; David McClellan; Thomas M. Sherman; Kathleen Guinan; Bonnie Birker; Sue Guenther; Blake M. Fetrow; Kenneth Shiotani (Ferber)
- K. **Action** - Confirmation of County Executive appointment to the Criminal Justice Coordinating Commission: Marlene Beckman (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Silver Spring Recreation Advisory Board: Brenda Calhoun; Ray Farmer; Barbara Carry; Stacey Gurian-Sherman; Catherine Hill; Anne Marie Jackson; Jennifer Slotwinski; Adam J. Steiner; Sutonta Thumprasert (Ferber)
- M. **Action** - Confirmation of County Executive appointments to the Commission on Landlord-Tenant Affairs: Kwaku D. Ofori; Jeffrey W. Burritt; Nereida Gonzalez; Vincent Gorman (Ferber)
- N. **Action** - Confirmation of County Executive appointments to the Commission on Child Care: Elizabeth Molloy; Dionne Koller Fine; Alicia Muhammad; Harriet Berger; Naseem Hoque; Kelcey Rochelle Klass; Caroline Joe, M.D.; Susan K. Walker; Honorable Ann T. Somerset (Ferber)
- O. **Action** - Confirmation of County Executive appointments to the Strathmore Hall Foundation Board of Directors: Joyce Bonnett; Honorable William E. Hanna, Jr. (Ferber)
- P. **Action** - Confirmation of County Executive appointment to the Library Board: Peter Goodstein; David Weisz (Ferber)
- Q. **Action** - Confirmation of County Executive appointment to the Board of License Commissioners: Maria Pena-Faustino (Ferber)
- R. **Action** - Confirmation of County Executive appointment to the Bethesda Urban Partnership, Inc. Board of Directors: Jack D. Hayes (Ferber)

9:15 **DISTRICT COUNCIL SESSION**

- (3) A. **Introduction** - Resolution to increase Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule (Wilson)
Public Hearing is scheduled for 6/4/02 at 1:30 pm.
- (4) B. **Introduction** - Resolution to increase Board of Appeals' Special Exception Filing Fees (Wilson)
Public Hearing is scheduled for 6/4/02 at 1:30 pm.
- (5) C. **Introduction** - Resolution to establish Annual Fee for Administration of Special Exceptions (Wilson)
Public Hearing is scheduled for 6/4/02 at 1:30 pm.



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ADDENDUM - REVISED *

Tuesday, May 14, 2002

(2) 9:10 CONSENT CALENDAR

- Defer:** G. **Action** - Resolution to Grant a Franchise for Telecommunications System in the Public Right-of-Way: KMC Telecom III, LLC (Cogan)
MFP Committee recommends approval with amendments.
- Defer:** * H. **Action** - Resolution to create the Pedestrian Safety Advisory Committee (Ferber)
- Add:** S. **Introduction** - Resolution to authorize the issuance of bonds by the County for the Grosvenor Metro Garage (Sherer)
- Add:** T. **Action** - Abandonment of an Alley off of King Street in Silver Spring (Orlin)
- Add:** U. **Action** - Appointment of Paul T. Stein, Esq., as special counsel to represent Montgomery County in connection with a self-insurance fund litigation matter (Faden)
- Add:** V. **Introduction** - Resolution to set tax rates for Kingsview Village and West Germantown Development Districts (Faden)
- Add:** W. **Action** - Confirmation of County Executive appointment to the Ethics Commission: Veronique M. Silverman (Ferber)
- Add:** X. **Introduction/Suspension of Rules/Action** - Resolution acknowledging election returns from Village of Drummond (Edgar)
Request to suspend Rules of Procedure (Rule 7c) to allow immediate action.
- Add:** Y. **Action** - Confirmation of County Executive appointment of Assistant Chief, Department of Police: William C. O'Toole (Ferber)

1:45 WORKSESSION - FY03 Operating Budget

- Add:** (17) • Libraries - Lapse issue (*continued*) (Hughes)
- Add:** (18) * • DTS - Desktop Computer Modernization (Praisner)
- Add:** (19) * • Recreation - First Tee (Silverman)

9:20 WORKSESSION - FY03 Operating Budget

- (6) • Department of Health and Human Services HHS (Planell)
- (7) • NDA: Community Grants (Planell/Harrigan)
- (8) • NDA: Community Grants - Glen Echo Park Partnership MFP (Sherer)

12:30 RECESS

- (9) 1:30 **PUBLIC HEARING** - Amendment to the Master Plan for Historic Preservation: Olney-Sandy Spring-Goshen Area Historic resources (Arthur)
This hearing is continued from 5/7/02 at 7:30 pm. PHED Committee worksession is tentatively scheduled for 6/10/02 at 9:30 am.
- (10) 1:30 **PUBLIC HEARING** - Resolution to Grant a Franchise Agreement for Telecommunications System in the Public Right-of-Way: FiberGate Inc. (Cogan)
MFP Committee worksession tentatively scheduled for 6/3/02 at 9:30 am.
- (11) 1:30 **PUBLIC HEARING/ACTION** - Special Appropriation to the County Government's FY02 Operating Budget - \$73,000 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Kimball)

1:45 WORKSESSION - FY03 Operating Budget

- (12) • Early Childhood HHS/ED (Planell/Hughes/McMillan)
- (13) • Linkages to Learning (Planell)
- (14) • SHARP Programs (Planell)
- (15) • Krahnke Center HHS/PS (Planell)
- (16) • Behavioral Health Initiative (Planell/McMillan)

5:00 ADJOURN

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 4, 2002:

Mid-County Recreation Advisory Board: Johnnie Armstrong; David Berrigan; Eric P. Gallun; Ruth Jaure; Charles S. Kines; Jennifer Maner; Sadie Poinsett-White; Jacqueline D. Wilson

East County Recreation Advisory Board: Bernard Abeshouse; Jemal A. Cheatham; Farris Curry; James M. Ganz; Sheena Hihn; Stacey W. Kane; Adrienne J. Lees; Emily Slunt

COUNCIL MEETINGS

Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.

May 6-17, 2002	9:00 a.m.	Council Regular Sessions and Budget Worksessions
May 23, 2002		Action - CIP, Capital, and Operating Budgets
May 27 -31, 2002		Council Recess
June 4, 2002	8:30 a.m.	Breakfast Meeting with City of Gaithersburg
June 4, 2002	9:45 a.m.	Regular Session - Legislative Session
June 11, 2002	9:00 a.m.	Regular Session
June 12, 2002	10:00 a.m.	Town Meeting at Leisure World
June 18, 2002	9:00 a.m.	Regular Session - Legislative Session
June 25, 2002	9:00 a.m.	Regular Session

Public Hearings

June 4, 2002		
1:30 pm	Supplemental Appropriation to County Government's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program, DPWT - \$5,208,000 for Grosvenor Metro Garage (Source: Current Revenue - WMATA Surcharge and State Aid)	
1:30 pm	Supplemental Appropriation to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget - \$1,151,000 for Bonifant Road Landfill Closure (Source: G.O. Bonds)	
1:30 pm	Amendments to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget and FY01-06 Capital Improvements Program - \$239,500, to implement transfers: to South Germantown Recreational Park from Sligo Creek Golf Course and Northwest Branch Golf Course; to White Oak Golf Course from Wheaton Ice Rink, Fairland Gunpowder Golf Center and Northwest Branch Golf Course	
1:30 pm	Special Appropriation to the County Government's FY02 Capital Budget, Department of Technology Services - \$1.4 million for Public Safety Radio System (Source: Current Revenue)	
1:30 pm	Ceiling Element of the FY03 Annual Growth Policy	
1:30 pm	Zoning Text Amendment 02-05, Planned Retirement Community Zone	
1:30 pm	Zoning Text Amendment 02-06, Cherry Hill Employment Overlay Zone - Permitted Uses	
1:30 pm	Resolutions to create four Agricultural Districts: Suddath Property on Damascus Road in Gaithersburg; MDR Friendly Acres LLC; MDR Friends Advice LLC; and MDR Friends Ahoy LLC on Bucklodge Road in Boyds	
1:30 pm	Resolution to increase Office of Zoning and Administrative Hearings' Local Map Amendment Fee Schedule	
1:30 pm	Resolution to increase Board of Appeals' Special Exception Filing Fees	
1:30 pm	Resolution to establish Annual Fee for Administration of Special Exceptions	
June 11, 2002		
1:30 pm	Zoning Text Amendment 02-04, Mixed Residential and Commercial Uses - C-2	
1:30 pm	Bill 16-02 , Compensation - Elected Officials	
June 25, 2002		
7:30 pm	Proposed Charter Amendments and recommendations of Charter Review Commission	



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**COUNCIL SEEKS APPLICANTS FOR POSITION OF
CHAIRMAN OF THE MONTGOMERY COUNTY PLANNING BOARD**
Deadline Noon, May 31, 2002

The Montgomery County Council is seeking applicants to succeed Arthur Holmes, Jr. as Chairman of the Montgomery County Planning Board. Mr. Holmes' term will expire on June 14, 2002, and he is ineligible for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. This position can be filled by a Democrat (D), Republican (R), or an Independent (I). Current members are: Arthur Holmes, Jr. Chairman (D), Allison Bryant (R), Wendy Collins Perdue (D), John Robinson (D), and Meredith K. Wellington (R). In appointing a Chairman for the Board, the Council will establish the salary for the Chairman within a range of \$120,000 to \$150,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's responsibilities with regard to planning are: 1) preparation and amendment of the County General Plan; 2) preparation and amendment of the Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on Text Amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, WSSC and Montgomery County Public Schools; and 7) approval of the work program and the annual operating budget for the Park and Planning Department and Central Administrative Services.

The Planning Board sits as the Park Commission and approves the annual operating budget and Capital Improvements Program for the County park system, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees. These functions require a meeting at least once each month.

The Montgomery County Planning Board meets all day every Thursday. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. Two full days a week are spent in meetings. Substantial additional time is required for preparatory work and other activities related to Planning Board responsibilities.

The Chairman's responsibilities are to perform a leadership role with respect to the Montgomery County portion of the Commission as well as to chair the meetings of the Planning Board; to assist in developing overall vision and direction for the Commission; to oversee the functioning of the Montgomery County Planning Board staff; to provide guidance on preparation of budgets by Park and Planning Department staff for presentation to the Board; to represent the Planning Board at official meetings; to present the Planning Board's position, especially before the County Council; and to serve as Chairman or Vice Chairman of the Maryland-National Capital Park and Planning Commission as well as to carry out other customary duties of the office.

Letters expressing interest in being considered for the position, including a resume, should be addressed to Council President Steven A. Silverman and must be **received** in the Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, **no later than noon on Friday, May 31, 2002**. It is the Council's policy not to consider applications received after the deadline. After the May 31 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June or July.

The names of all applicants are published and available for public review, and interviews are conducted in public. A resume of professional and civic experience should be included with letters of application. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the candidate appointed will be required to make the financial statement available to the public.



Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, May 14, 2002

Item Number	Note	Staff
Agenda Item #1	There were no petitions received in LIS this week.	McGuire
Agenda Item #2E	This item will be available on Monday, May 13.	McMillan
Agenda Item #2G	This item has been deferred.	Cogan
Agenda Item #2H	This item will be available on Monday, May 13.	Ferber
Agenda Item #12	This item will be available on Monday, May 13.	Planell/Hughes/McMillan